

REMARKS

I. Introduction

Applicants and Applicants' representative would like to thank Examiner Auduong for the indication of allowable subject matter recited by claims 2-18. In response to the Office Action dated March 22, 2005, Applicants have amended claims 1 and 19 so as to include the term "length." Support for these amendments can be found, for example, in Figs. 3A-3C and at page 19, line 19 to page 20, line 4 of the specification. For instance, the time length represents the length of time of the writing time "tp = 10 ms", rather than the time interval between the writing time "tp = 1 ms" and the writing time "tp = 10 ms". Applicants respectfully submit that the present Amendment does not require any additional prior art search or further consideration, and/or generate any new matter issue.

For the reasons set forth below, Applicants respectfully submit that all pending claims are patentable over the cited prior art references.

II. The Rejection Of Claims 1 and 19 Under 35 U.S.C. § 102

Claims 1 and 19 are rejected under 35 U.S.C. § 102(a) as being anticipated by USP No. 6,243,292 to Kobayashi. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1 recites in-part a writing operation selecting circuit for selecting ... an additional writing operation, and a writing time control circuit for *controlling a time length* of the additional writing operation in accordance with the output signal of the writing operation selecting circuit.

In the pending rejection, the Examiner relies upon col. 4, lines 28+ as allegedly disclosing the foregoing claimed feature. However, Applicants respectfully disagree with such interpretation, because the distributor controlled by the CPU 120 receives and distributes the power supply potential V_{cc} , ground potential GND, and potentials V_{pp} , V_{out-} , V_{sg} and V_{WL} to their respective internal circuits (see, col. 4, lines 42-45). That is, Kobayashi discloses controlling the *voltage* for the writing operation (e.g., via the wells separated by the sub bit lines, Fig. 2), but appears completely silent with regard to controlling the time or time length with respect to the writing operation. Details regarding how the voltage is controlled in conjunction with the memory blocks MBL1/MBL2, main bit line MBL and sub bit lines SBL1/SBL2 can be found at col. 4, lines 61 to col. 6, line 48 of Kobayashi. As a final note, it should be noted that the column related control circuit 240 supplies a high *voltage* to the main bit line MBL during the writing operation, at which point the selected memory cells receives this high voltage through the select gate 29 and the sub bit line SBL so as to retain the data (see, col. 4, lines 61-64 and col. 5, lines 31-34).

With respect to claim 19, as this claim also includes the claimed feature “a step of controlling a time length of an additional writing operation,” it is respectfully submitted that claim 19 is patentable over Kobayashi for reasons discussed with respect to claim 1.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and at a minimum, Kobayashi fails to disclose or suggest the foregoing claim elements, it is clear that Kobayashi does not anticipate claim 1 or 19 or any of the claims dependent thereon.

III. Conclusion

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty
Registration No. 36,139

Please recognize our Customer No. 20277
as our correspondence address.

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF/AHC/dlb
Facsimile: 202.756.8087
Date: July 22, 2005